



CAUSE NO. 13,731



THE STATE OF TEXAS  
v.  
NETFLIX, INC.  
100 WINCHESTER CIRCLE  
LOS GATOS, CA 95032, USA

§ IN THE 1 A DISTRICT COURT  
§ OF  
§ TYLER COUNTY, TEXAS

**MOTION TO DISMISS**

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, The State of Texas, by and through her Criminal District Attorney and respectfully requests the Court to dismiss **without prejudice** the above entitled and numbered criminal action in which the Defendant is charged with the offense of Promotion of Lewd Visual Material Depicting a Child, Texas Penal Code 43.262, for the following reason:

While the State believes the charged portion of Texas Penal Code 43.262 is **constitutional**, the facts of this case are better suited for other statutes.

WHEREFORE, IN THE INTEREST OF JUSTICE, it is prayed that the above entitled and numbered cause be dismissed without prejudice.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Lucas Babin".

Lucas Babin, Criminal District Attorney  
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**ORDER TO DISMISS**

The motion of the State of Texas to dismiss without prejudice the above styled and numbered cause and having been presented to me and the same having been considered, it is therefore ORDERED, ADJUDGED, and DECREED that the said above entitled and numbered cause be and the same is hereby dismissed without prejudice.

SIGNED AND ENTERED on this the 2<sup>nd</sup> day of March, 2022

 A handwritten signature in black ink, appearing to read "H. Babin".
 

Presiding Judge